

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ESTEBAN POLONSKI, et al.,

Plaintiffs,

No. CIV S-09-0048 MCE KJM PS

vs.

CENTRAL MORTGAGE COMPANY,

Defendant.

ORDER

_____/

This action was filed by plaintiffs proceeding in propria persona. Plaintiffs were ordered to show cause why this action should not be dismissed for lack of subject matter jurisdiction. Defendant then filed a motion to dismiss. Plaintiffs have now filed an amended complaint, as a matter of right under Federal Rule of Civil Procedure 15, in which they allege diversity of citizenship. Plaintiffs further allege that the obligation underlying their causes of action was entered into in the City of San Francisco. It appears, therefore, that this action is properly venued in the Northern District of California. 28 U.S.C. § 1391(a).

Accordingly, IT IS HEREBY ORDERED that:

1. The order to show cause is discharged.
2. The hearing on defendant's motion to dismiss is vacated in light of the filing of the amended complaint.

1 3. This matter is transferred to the United States District Court for the Northern
2 District of California.

3 DATED: February 5, 2009.

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U.S. MAGISTRATE JUDGE